Bob Brown: Okay, we’re visiting with Dale McGarvey. Dale served in the Montana House of Representatives in 1957-1959 sessions and has been involved in public affairs, both before and after his service in the legislature. Dale is a lawyer. Dale, what was the legislature like when you experienced it in 1957 as a freshman legislator. And maybe I ought to ask you this too, as a kind of prologue to this question, what motivated you to run for the legislature?

Dale McGarvey: Well, there were several issues that motivated me. The first and foremost issue was the schools. The situation was, in Flathead County, that we were trying to develop a really good educational program and the amounts of money that was needed just wasn’t forthcoming. The man I campaigned against was Ory Armstrong and Ory was Speaker of the House. My campaign was based on the school foundation program. What Ory Armstrong had done is kept the contribution of the state down and the pitch that I was making to the voters of Flathead County was that that type of effort not only hurt the schools but it actually hurt the taxpayers of Flathead County because, as you know, there are two companion bills in the legislature; the A&B and then the funding bill. If the state doesn’t fund the commitment totally, then there’s an automatic charge back on the property taxes. So that was the basis of my campaign. I got a lot of support from people who believed in schools and the first session of the legislature in 1957 we made some major improvements in connection with the funding of schools. That was probably the whole effort that I wanted to—that was the main thrust of my efforts.

The second thing that I was concerned about was the occupational disease bill. For years and years and years, and I think a lot through the influence of the Anaconda Copper Mining Company, bill after bill in the legislature went down because of the way that—well, the company, the whole coalition was too tough for anybody to get legislation through. So in the first session—

BB: Dale, you say coalition. So the Anaconda Company was sort of at the center of the business coalition and kind of the—

DM: Yes. There was a coalition of the Anaconda Company, the Montana Power Company, some wealthy ranchers, and they basically had a stranglehold in connection with getting any progressive legislation through. At any rate, in the 1957 session of the legislature, I was on the workers’ comp committee and we were able to get through the House of Representatives a silicosis or occupational disease bill. I was appointed as a conference member regarding that bill because—
BB: What that means is that the bill passed the House of Representatives, got over to the Senate, where it was apparently amended.

DM: That’s correct.

BB: So the House wasn’t willing to accept the Senate’s amendments, and so a committee of negotiators was appointed—three from the House and three from the Senate—called a Conference Committee, and you were one of the three members of the conference committee from the House of Representatives.

DM: That’s correct. And so we met and we weren’t getting anywhere. Finally, I went to Bob Corette—

BB: Who was the lobbyist for the Montana Power Company.

DM: The lobbyist for Montana Power. And I said to Bob, “Bob, you know we worked hard on this bill. We’re willing to strip it down. We’re willing to change it. We’re willing to do most anything here, but we’d like to get a bill.” Bob Corette said to me, “Dale, let’s not argue. Let’s vote.” And so the House voted in favor of the bill, the Senate voted to kill it. Of course that was it.

BB: So it died in conference?

DM: The conference committee report was not accepted in the Senate and so the bill died. The next session of the legislature was—

BB: Now this silicosis benefits, there would have been some obligation on the part of the Anaconda Company if the bill had passed for them to pay for these work-related lung ailments of their employments. But Corette was a lobbyist for the Montana Power Company.

DM: Yes. The next session of the legislature—I think you’ll find this to be really interesting—the next session I was chairman of the House committee on workers’ comp and suddenly I found on my desk a silicosis bill that had passed through the Senate. I could hardly believe my eyes when I read it. It was a good bill. And so I went to Al Donahue, Chief Clerk, and I said, “Al, I want you to post that bill up above everything else. Put it right at the top of the list. We’re going to put it through the House. We’re going to report it out with a ‘do-pass’ out of worker’s comp. I want it considered in the whole House and I wanted to get it down on the governor’s desk.” Al did that and then I started to find out what had happened. What had happened, as I was learning, was that Bob Corette, who was the lobbyist for the Montana Power Company, and also, really, a lobbyist for the Anaconda Company, but primarily for Montana Power—but they were in bed together, basically, as far as their positions in the legislature—and so Bob Corette had asked, and this is the reputed story, all I know is I could not understand how we could have that good a bill on my desk after such a fight last time when in 1957 it came to nothing.
At any rate, the story was—and this was what I learned at the time and this was just a lot of rumor—that Bob Corette had wanted to be put on the Board of Directors of the Montana Power Company. Which was great, but when he went to the Anaconda Company and he wanted to be on that board too they said no. That made Bob Corette angry, so Bob Corette said, “Well, if you won’t accept me on your Board of Directors, I’m not going to lobby for you either.” So what had happened was that Bill Kirkpatrick, who was then the lobbyist for the Anaconda Company—and he was new and of course Bob Corette knew the people and he knew how to do things—and before Bill Kirkpatrick could even get his feet on the ground, Bob Corette had put that bill through the Senate. And here it was in my committee in the House and went into the Committee of the Whole and I asked that the bill be passed and it was passed with a tremendous movement in favor of the bill. I went down to the governor’s office and along the way I ran into Bill Kirkpatrick and I said, “Bill, is there going to be a silicosis bill, occupational disease bill in the state?” Bill Kirkpatrick had a very long face and he said, well, yes there was, that his immediate predecessor, Bob Corette, had gotten down to the governor before he could get there, and yes, we were going to have a silicosis bill.

BB: [Laughs]. Meaning that if he had gotten there before Bob, that Hugo Aronson might have vetoed the bill?

DM: Well, he didn’t feel like he really had a chance. It just happened so fast and Bill then said to me, “You never gave me any chance in the House.” I said, “Well, I wasn’t about to. I knew once you’d get your forces gathered that I’d have a battle on my hands and I wasn’t going to let those forces form if I could avoid it.”

BB: Now Dale, were you in a leadership position where you could kind of influence the agenda?

DM: Well Al Donahue and I were very good friends and yes, I was in a leadership position in this sense: I went to the legislature in ’57 and I listened to—well, the idea of speaking and I finally developed a style where you could put an awful lot of emotion into your voice and in the limited time you had on the floor I learned how to do that. It took two sessions to do it. The first session I wasn’t all that great at it. In fact, Dr. DeMond and I were in Toastmasters together—

BB: Who was Dr. DeMond?

DM: Dr. [William] DeMond was the doctor here in Kalispell and he came over to the legislature the first time and then the second time he came over and he said, “What happened, Dale? I’ve been in Toastmasters with you for more than a year and they say you’re formidable.” That’s what happened. It was a—

BB: You developed a persuasive speaking style?

Dale McGarvey Interview, OH 396-007, Archives and Special Collections, Mansfield Library, University of Montana-Missoula.
DM: Yes, I did. And I’ll tell you who I watched very carefully was Wellington D. Rankin. The first session I heard him and he was good. He was persuasive.

BB: What made him good and persuasive?

DM: Well, it was the ability to put a lot of emotion into his voice, number one. But number two, that he had the ability to move the ideas that he had so quickly that your mind would be absorbing one and then he was moving in another and all this emotion kept hitting you and he kept just hammering away until your mind really didn’t have a chance to analyze very carefully anything. But at the end of it, he basically had at least given you the impression that, well, you really don’t have any good answers to what he’s saying here, do you now? So this was his technique, and I watched that carefully.

BB: You saw him in the courtroom or you said—

DM: No, I saw him in the legislature.

BB: I see, testify on a bill before a committee?

DM: Well, it was after, I think—it was getting down to the close of the legislature and what the argument was something about the power of the legislature under those circumstances. No, it was a legislative action that he was in the middle of. He was winning the day on that one and he did win the day on that one. But at any rate, I watched him carefully and I thought, well, you know you have a very limited time. And so what I would do in the second session of the legislature was when bills were coming up that I wanted to support, I would go upstairs, find a room where nobody else was there, I would go in and organize my thoughts. I would make a little, I would say head notes. Just not write it all out, just one thought, the main themes, so I had a whole series of them all pretty well lined out and then I would go down on the floor and when the bill came up, why, this is what I would do, and I put through at least twelve bills that second session.

BB: Really? Importantly due to that rhetoric technique?

DM: Yes. Once the other legislators learned that I had it, then they would come to me and say, “Dale, would you sign on this bill? Do you really like this bill?” I remember one time we had a bill that had to do with the University and we were giving the University a lot of power and Jim Felt came to me and he said, “Dale, in one way I think that this is all right—”

BB: Now Jim Felt was a state representative, a Republican from Billings.

DM: From Billings.

BB: Who later was Speaker of the House, I think.
DM: Well, he was a representative as I was. I never had any office. I wasn’t the Majority Floor Leader or anything. At any rate, Jim came to me and so I thought that what he said was correct. The bill by that time had come out of committee. It was on the floor. And so I made a motion and I amended my own bill on the floor of the House and I got the amendment through and then the bill went through the House with the support of both sides of the aisle.

One of the other things that I found in the legislature was that you need to reach across the aisle. In that case, it was reaching across to Jim Felt, but most of the time, the person I contacted on the opposite side of the aisle was Fred Broeder. Fred had a good, level head and we could talk things over and make common cause. There were some gives and takes and then I think that’s one of the reasons that I was successful in getting at least those twelve bills through is that I had some support on the Republican side of the House. It wasn’t a Democratic thing or a Republican thing, or anything like that, it was just—I thought—good government.

BB: And Fred Broeder was a Republican representative from here in Flathead County.

DM: Flathead County, that’s correct.

BB: Was someone who you had a good relationship with and could talk to. Of course that’s interesting too because in order to get to the legislature in the system we had then, when we elected either three or four representatives at large—I’ve forgotten which—you were essentially running against Fred.

DM: Yes, right. Well, but not so much. I mean, the first session I ran against—

BB: Ory Armstrong.

DM: Ory Armstrong, and I really did not like what he was doing as far as education was concerned. He was on the other side of the state superintendent of schools and my basic pitch is that we have a rich state and if we will only fund by all of the ways that you can raise revenue at the state level then we’ll be able to tax, and fairly, and we won’t have all these taxes dropped back on the shoulders of the property taxpayers of Flathead County. So that was the first thing.

The second thing that I wanted was the Occupational Disease bill. When I picked up that bill as chairman of the Workers Comp committee in the 1959 session, there was a provision in that bill that I did not like. The provision of the bill spelled out that the companies throughout the state could have their men checked to see if there was silicosis or asbestosis or any of these levels that were there, and that the companies then would only be liable for the aggravation or the addition to the level that was there as of 1959 and thereafter when they had their men chest x-rayed and all of that. Actually, I now know that that was a wonderful provision as far as the people in Libby is concerned. Because what happened to Libby is W.R. Grace and its predecessors did—for the purpose of protecting themselves—take x-rays of the men and so
they would have the whole workforce x-rayed. Then what they did is as the years went by they would continue to take more x-rays but what they would tell the men was, “Well, it’s just like it was last year. There’s hardly been any change.” And so basically they would tell the men that the dust they were working in was just like farm dust, it wasn’t going to hurt you.

It was dusty all right, but it wasn’t going to hurt you so you could eat a ton of it and it wouldn’t hurt you at all. And of course they knew that that dust had tremolite in it and tremolite has these little barbs that cut back and forth on the lungs and your lungs are as big as a tennis court to you begin with, if you spread them all out, but if you have all of those little saws working away and then you get more saws in there and they keep on working away, finally you get plaque, and ultimately you get a situation where it’s just like an orange peel all around the lung. Ultimately you get to a point where you can’t even let out your breath and particularly you can’t take a breath. Then of course you pass away, and that’s what has happened to more than 200 men up there in Libby now.

BB: But this particular bill that you were involved in 1959 is still the basis for the state law?

DM: Well, the key to it was I started in 1981 bringing lawsuits against the W.R. Grace. But what I ran into to begin with was that there is the umbrella of the protection of the Workers Compensation Act and the only way that you could break through the protection of that umbrella was to prove that the company deliberately was misleading the men. If you could show that the attitude of the company was, “Well, Joe’s got it. I know that every day that goes by it’s going to get that much worse and he’s going to die and that’s just the way it is.” If you could prove that kind of deliberate undertaking then you would be able to prove willful damage, which took you out of the protection of the Workers Comp Act because an employer is protected under the Workers Comp Act for any negligent acts, but if it gets to be willful—and that’s where all of these x-rays came in.

So that very provision that I did not like at all in ’59 was the provision that I later used, and John Heberbling and Roger Sullivan has used very effectively. We have something like 550 cases now and we brought a whole series of cases up in Libby and like Les Skramstad, I think we got 660,000 dollars for one case. Sometimes lawyers are criticized, but when I was started, Shorty Welch was one of the first that made a claim for asbestosis and his claim was all for 10,000 dollars. I don’t think that he had an attorney—I’m not sure—but that’s the way it went. Well there was a lot more damage done to Shorty Welch than 10,000 dollars, and we proved to a Libby jury that that damage is really in the neighborhood of 660,000 dollars. The life plan alone, you’re looking at somewhere in the neighborhood of half a million dollars per man. So that was a provision in the bill that turned out to be—

BB: Very long-range implications.

DM: Yes, and I had no idea in 1959 of how this thing would uphold, and of course you never know that a big company would be just so utterly wrong as to not tell the men that when they
saw the chest going bad they wouldn’t tell them about it and they didn’t. And then, of course, things began to start coming apart at the seams up there in Libby and it’s all come out. We have now, in our offices, 500 exhibits on W.R. Grace that we use for punitive damage purposes, and it was the unearthing of those exhibits that I think made the United States government take note and decide that they wanted to bring a criminal action against these folks, because some of the things that we came across was that they had some animals that they fed the asbestos dust to and they all got lung cancer, a lot of them. This was swept under the rug.

BB: But you can prove that now?

DM: We can prove it now, yes, but it was W.R. Grace lying to the men. They should have said to the men, “Your chests are getting really a lot worse here and we’re sorry but we think you ought to get out in the woods or some other environment other than that dusty plant.” The only reason I can ascribe, and I’m only speculating here, is that they didn’t want to lose their work force. I cannot imagine why they wouldn’t tell those men when they saw the signs on the x-rays there, time after time. And, one by one, these people started to wind up in Boot Hill up there.

BB: Well I think they’re in big trouble now.

DM: They are in big trouble, they are in big trouble. So those were the—

BB: Well, you mentioned the two, and one of them was education. Was there any important progress made, in your opinion, in education in those two sessions?

DM: Well the first session, the ’57 session, we made really major progress. But the problem was in the ’59 session that we had given quite a bit of help to the schools in the ’57 session and I was on the education committee in the ’59 session when suddenly the bill was presented to me and it just made me furious because they were not making the kind of progress that I thought they should in the ’59 session. But it was a done deal. I don’t know who cooked it up or how it got cooked, but all I know is a bill was presented in the education committee and I really did everything I could to change it around but I was just like talking to a brick wall.

BB: You mean in terms of putting more money in it?

DM: Yes.

BB: Yes, I see.

DM: The funding in the ’59 session was not adequate in my mind. The funding in the ’57 session was a good leap forward, but the ’59 session was not. I don’t know what happened there. I don’t know to this day what happened, but there must have been some pressures put on from somewhere in the state. I don’t think it was from Flathead County because everything that we

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did there, of course, was for private property taxpayer relief in Flathead County. But I think it was for the big taxpayers in the state, they sat down and they got that bill cooked up and it was a done deal. And I still kind of get angry when I think of that.

BB: Do you remember, there must have been lobbyists in from the Montana Education Association?

DM: There was.

BB: Who was that, do you remember?

DM: I don’t remember.

BB: Was there a fellow named Cooper?

DM: Yes.

BB: Dee Cooper, I think.

DM: Dee Cooper, right. And he was not at all happy with the ’59 session going poorly. Fifty-seven, he was pretty pleased.

BB: Now Dale, we’ve mentioned Bill Kirkpatrick and he came back as a lobbyist some years later for plywood. I think he represented the old Anaconda Company sawmills in the Missoula area, the one at Clinton and the one at Frenchtown. So I was a little bit acquainted with him. He told me he had been Western general counsel for the Anaconda Company, which was their lead lobbyist, for two or three sessions back in the 1950s, so that would square with your connecting with him back then.

DM: Yes.

BB: Now do you remember much about his lobbying techniques or anything, do you remember much about him?

DM: All I remember is that he was a voice crying in the wilderness as against Bob Corette. I think that he had a lot of ability, it is just that—well, Bob had been there for years and there was this coalition of the Anaconda Company and the Montana Power Company in the legislature for years. Bob knew who the people were that he could count on, and he also knew where to go to break them loose.

BB: And Kirkpatrick, expecting that he wouldn’t have to worry about trusting Bob Corette, wasn’t expecting trouble from that quarter, and was blindsided.

DM: He was, he really was.
BB: Let me tell you a story and see what this means to you. The Anaconda Company had some kind of suite of rooms in the Placer Hotel and they used those rooms for hospitality and entertainment purposes. Were you ever there?

DM: Yes.

BB: Tell me about that first.

DM: Well, I would say that most of the bills in the legislature that were really controversial bills that might affect taxation or Montana Power or the Anaconda Company, I was not, I would say, one of their favorites on the House floor, at all. [Laughs]. But there happened to be a bill that I agreed with, and I don’t remember what it was, but I remember that after I voted for that bill then suddenly I got an invitation up to the hospitality room there in the Placer Hotel. And I was kind of curious. I’d heard about it; I’d never been asked before.

BB: But it was a by-invitation kind of a thing?

DM: Yes.

BB: You knew where it was. You couldn’t just drop up sometime.

DM: Well I didn’t feel comfortable doing that.

BB: I see.

DM: But this time, one of the lobbyists asked me to come up and invited me to come up.

BB: Do you remember who that was?

DM: No, I don’t.

BB: Denny Shea—does that ring a bell? Billy Ray or Al Wilkinson? Lloyd Crippen?

DM: It could have been [George] O’Connor. “Red Tie” O’Connor.

BB: Okay, he was a Montana Power Company guy, but they worked closely together.

DM: Oh yes. It could have been.

BB: You served in the House of Representatives with him. He went on to become the President, or CEO of some kind or the other, of Montana Power Company, George O’Connor did.
DM: Yes.

BB: But when you knew him he was a representative from I think Stillwater County, perhaps?

DM: Yes.

BB: And his trademark was a red tie.

DM: Well when I knew him, as I recall, I knew him first as a lobbyist.

BB: Okay.

DM: And I think that—and I'm not sure it was him, but it was one of the—

BB: Well he had served in the House of Representatives some time. Maybe it was before you.

DM: Yes. Or maybe after, but at any rate—because I remember him organizing his forces in the third house. That's the way I recall him, not as a state representative at that time. But at any rate, I got this invitation and I went up to the hospitality rooms and they had some whiskey and a lot of pop and hors d'oeuvres and that type of thing and it was a really convivial atmosphere and they just talked social things. It was, I would say, more of a social political meeting than anything else and of course politics was the main subject, but nobody put any arm on me or did anything about—there was no pressure whatsoever, I just was invited and I really couldn't take alcohol so I had some 7-Up or something like that and some hors d'oeuvres and had a nice visit up there and left and that was about it.

BB: Was it large? Could it accommodate 40 or 50 people? Was there a lot of furniture?

DM: As I recall, there were about two or three rooms to it, together. People could circulate some between the two or three rooms.

BB: They were just regular hotel-sized rooms, but there were two or three of them.

DM: Yes, two or three of them.

BB: They were kind of together?

DM: Yes, so that they could move from place to place. In one area of it they had a smorgasbord, so to speak, all laid out for you, and liquor and so on.

BB: Now here's what Bill Kirkpatrick told me, Dale. I said, "When you were Western General Counsel—" He told me about this hospitality suite and he said they didn't try to put any pressure on anybody there. He said there were people who dropped in on them, I understood
you probably could drop up there uninvited if you chose to. He said some people did and it was fine if they did, apparently. But he said, Oh, I don’t remember exactly, maybe a couple of nights a week or something like that, he said there would be a little group of us legislators and two or three members of his lobbying team that would retire to some back room or some other room up there in the vicinity of their suite, and he said they’d just discuss the bills that were at various stages in the legislative process. I said, “These were legislators, right?” And he said, “Yes.”
I said, “Both senators and representatives?”
“Absolutely.”
And I said, “Democrats and Republicans?”
He said, “Yes, about equal.” And he said, “We’d just talk it over.”
I said, “Always the same guys?”
And he said, “Well, kind of generally, but there might be someone included from time to time, kind of depending.”
I said, “Did you decide which bills would pass and which wouldn’t pass?”
He said, “Well, we didn’t have to do that too often. Sometimes stuff we didn’t like we’d just kind of encourage not to pass and it would collapse under its own weight. Sometimes we had to make an extra effort to get something that we wanted passed.”
I said, “If there was a really important bill, a bill that was really important to you that you really wanted to see killed or you really wanted to see passed, what happened then?” Well, he said he couldn’t remember very many instances where they failed to kill something that they really wanted to kill, or they failed to pass something that they really wanted to pass. Does that sound plausible?

DM: Well, it’s not only plausible but George Siderius was my seatmate at the ’57 session of the legislature and I learned a tremendous amount from George. One of the things that he did, he said, “You know, we’ve got to kind of divert this coalition and so I’ve got an idea here, Dale, and I want you to take a look at it.” What he came up with was a pole tax.

BB: A pole tax?

DM: Yes, and the pitch was that when the highways are built they are built with public funds but then along comes the power company and for free they put up their poles.

BB: In the highway right-of-way?

DM: In the highway right-of-way. And so George put together this pole tax. It was not an idea that he thought was going to necessarily see the governor’s signature. He just wanted to divert their energies and their attentions for a while, and it did. It really did. [laughs]. We all got a kick out of it, the whole group of us. One other thing that I wanted to get done was that we had a company here in connection with the power company that was pretty arrogant and I really didn’t like that arrogance.
BB: Another utility company?

DM: Yes.

BB: Are you talking about Pacific Power and Light Company?

DM: I think it was Mountain States or something like that.

BB: A telephone company?

DM: No, power company.

BB: Montana Dakota Utilities?

DM: At any rate, the one in Kalispell when I came here in 1945 or '46.

BB: Oh, okay, I see, something that was before Montana Power or before PP&L maybe?

DM: Well, it wasn’t Montana Power because I would have remembered that, but at any rate they were very, very arrogant. So in the '59 session of the legislature, Cy Tonner came up with this idea of public utility district legislation.

BB: Cy Tonner was a Democratic representative from Flathead County at about the same time that you were there.

DM: Yes.

BB: And what was his idea?

DM: His idea was have public utility district legislation.

BB: What’s a public utility district?

DM: Like they have in Washington. They form a public utility district and then the public utility district takes over the power company.

BB: So it’s like a co-op?

DM: Very like it, but it’s a condemning co-op.

BB: I see.
DM: Because the power companies are not going to step aside very lightly. So it had the power of condemnation and then it takes over and no longer do you have Montana Power or this Mountain States power, or whatever it was, you have this kind of a power situation. I talked with Cy Tonner about that and I said, “Cy, you know, this is a new idea, Cy, and do you really want to bring this out on the floor of the House, a brand new idea this far reaching, without going back to your people back in Flathead County?” Cy said, “Well, you know, we ought to at least have an option. Right now it’s a monopoly and we ought to at least have maybe some thought that, well, if you don’t treat people fairly that you might have a risk of a PUD situation.”

So at any rate, Cy Tonner introduced the bill. Then John Hauk, who was vice president of Montana Power, and who was also my wife’s uncle, came to me in the legislative session and said, “Dale, this bill we don’t want at all. It’s going to put us out of business and we’re going to fight this bill and we would like to ask you, please do not support this bill.” So I went to the Democratic caucus, but in the meantime the bill had come up in a committee in the House and I wasn’t there, but evidently the minions of Montana Power or somebody had attacked the sponsors of the bill as Communists, in the committee, and these people were steaming. So I went to the caucus and I made the same arguments that I had made to Cy Tonner earlier. I said, “You folks haven’t gone to your precincts. You have not discussed this at home. I know that you are really angry over this pitch that was made to you where you were being called a Communist, but I don’t think that this is the proper thing to do to bring this out on the floor under these circumstances.”

In the ’59 session, we had a large Democratic majority. But these sponsors of the bill, including Cy, were just furious. I made all this pitch at length and I was voted down. I told them, “Let’s pass the bill, caucus action, just don’t—just lay it on the table and let it go past the session.” I couldn’t get anybody to listen. Cal Robinson came to me later and said, “Dale, why didn’t you come to me? I think I could have given you a hand on this.” I said, “Well, Cal, you know, I wasn’t trying to get favor with people that I’ve been out of favor with for years, I just was saying from a political standpoint I don’t think this was the wisest thing to do.” Well, nevertheless, it came out on the House floor and then the issue really was, that I had to look at, whether or not that bill had merit, and the bill did have merit, there wasn’t any question about that, and I voted for the bill. But then the next time that I ran for election—

BB: Did it pass?

DM: No, the bill was killed. But when I ran for the election, that vote, I heard about that at five minutes to eight every morning for two or three weeks before election.

BB: What, was it on the radio?

DM: Yes.

BB: Radio ads attacking you?
DM: Yes, and it was—

BB: That would have been in 1960?

DM: Yes, McGarvey, Sheldon, and Tonner. And Bob Keller was the one that went on the radio.

BB: Oh, Bob was the voice on the radio?

DM: He was the voice.

BB: And that would have been when Marshall Murray and [inaudible] and Con Lundgren ran?

DM: Ran against me, yes, right. So I lost by 400 votes and so the people spoke.

BB: And Connor and Sheldon were also defeated?

DM: Yes.

BB: And Siderius was, what, a holdover?

DM: No, he had gone for the Senate.

BB: That’s what I mean. He wasn’t running in that election, he was a holdover?

DM: Yes, right. And then the next election, George Siderius was up and they started to attack George and then I decided I was going to do what I—I had a radio program called, I think, “Legislative Issues” or something like that, and basically what I was doing was basically giving the Democratic program—and it wasn’t an attack on—it was nothing like what Bob Keller did, but it was effective. I remember Marshall Murray running into me one day over I think it was hail funds or something, and I had said that everybody, including Marshall Murray, had a right to change that bill on the floor of the House, and of course, having been a House member, I knew that any particular House member could make a change right there on the floor if he was so minded to try, and Marshall hadn’t. And so I said, “Of course you know they’re all in on it,” and Marshall didn’t care much for that.

BB: What was the bill?

DM: It had to do with hail funds.

BB: Oh, I see, hail insurance?

DM: Hail insurance; I forget all the details.
BB: A couple questions. One, you didn’t ever run for the legislature again?

DM: No, I didn’t.

BB: Why?

DM: Well, because of the emotional reaction that Elsie had.

BB: Elsie’s your wife?

DM: Was my wife at that time, yes, and she did not enjoy that campaign at all in 1960. Bob Keller would say such things as “You don’t socialize with these Democrats. Why do you vote for them?” And that hurt Elsie. So I just didn’t want to get into—

BB: I guess that leads me to the second part of the same question, or maybe the second question. You mentioned that even though you felt that this bill was bad politics, still there was a fair degree of merit in it, at least in your philosophical point of view, and so you felt you honestly had to support it.

DM: Yes.

BB: So what was the argument used against it that was so lethal? How was this bill such a poisonous thing to you and Cy Tonner and Clarence Sheldon?

DM: Well, Bob Keller attacked us on the basis that he had served in the war, and I think it was the Korean War, and he said that “I’ve been shot at by these Communists and I think a lot more of them than I do of McGarvey, Sheldon, and Tonner.” I mean, it was a vicious attack.

BB: The idea that co-ops, public power, are a sort of a form of socialism.

DM: Well, and fellow travelers to Communism.

BB: We were still kind of on the fringe of that Red Scare era.

DM: Yes, right. And also, one other really interesting thing that happened is following that battle over public utility district legislation in the legislature, I was at the Montana Power Club in Helena.

BB: The old Montana Club, not the Montana Power Club?

DM: Yes, the Montana Club, right, and Jack Corette, who was president of Montana Power—
BB: Bob Corette’s brother?

DM: Bob Corette’s older brother, right. And of course we knew the Corettes. John Hauk was vice president of Montana Power.

BB: And he was Elsie’s—

DM: John Hauk was Elsie’s uncle. And so we never talked politics when we got together at Missoula because I would have one idea and the idea wasn’t [inaudible] just keep politics out of it. So I never really saw eye to eye with to Corettes or, really, with John Hauk. But at any rate, here I was at the Montana Club and I was as close to Jack Corette as I am to you. And I heard Jack say in no uncertain terms that this is the last time that we go through this. We are going to go into the precincts, we’re not going to come down here and have this type of thing that we’re fighting off and our whole future at stake. We’re just not going to do it again. And so we’re going to go into the precincts and we’re going to change things. Well, they changed the whole legislature. Everybody lost that voted for that bill, with the exception of Francis Bardanouve.

BB: Wow, so the Democrats had a big majority in the ‘59 session, the Republicans had a big majority in the ’61 session.

DM: Yes, they changed things dramatically.

BB: Who was Speaker of the House in ’59? Was it Johnny MacDonald?

DM: Johnny MacDonald, yes.

BB: Where was he from?

DM: He was from eastern Montana, way over the—there were, in the ’59 session, I think it was, of the legislature, there was an apple-cheeked rancher and I’ve forgotten his name, over east of the mountains. I liked him a lot and I used to square dance on the weekends and kind of let off some of the steam. You know how it is; it’s a pressure cooker that you are in. I got to know him very well.

BB: He was a legislator?

DM: He was a legislator. There were two other legislators there, John Cunningham and [Mervin] Dempsey.

BB: Democrats?

DM: Democrats.
BB: Where were they from, Butte?

DM: Butte. They were Company-crats. We couldn't have a caucus and, of course as Democrats, they had a right to be there and we couldn't have a caucus without everything that happened in the caucus being known to the Anaconda Company and Montana Power Company 10 minutes after the caucus was over.

BB: Primarily because of those two, or were there others?

DM: It would be primarily because of those two. One of the things that happened, and I don’t know whether this is true or not so all I can say is this is what I heard, but I know this to be true: one of the days Cunningham and Dempsey came to the House floor and they both—their faces were puffy and black-eyed and so we asked them what had happened to them, both of them. They said, well, they had had a little much to drink, and I believe that. They said that they were at the head of the capitol stairs there and they got tangled up in each other and they rolled down the whole stairs, which was quite a story. But that wasn’t the story I heard when I got back home. The story was that the company, and I don’t know which company it was, whether it was Anaconda or Montana Power or the Coalition or some agent of the coalition had offered this eastern Montana rancher 5,000 dollars to vote for the company for the rest of the session, and he just beat the holy bejesus out of the both of them.

BB: Because they asked him on behalf of the company to accept 5,000 dollars?

DM: And buy his vote for the rest of the session.

BB: Dempsey and Cunningham asked this honest rancher and the response was he duked their lights out? [Laughs].

DM: Yes, that’s exactly what happened.

BB: I wish you could remember his name, Dale. I wish you knew that rancher’s name.

DM: I wish I could, but I don’t remember the name.

BB: Do you remember where he was from?

DM: All I remember was Johnny MacDonald came to mind, but it was over in that area, fairly close. But yes, that’s a—

BB: That’s a good story. You could probably go back and find his name in the journal or something. Was that the ‘57 or ‘59 session?
DM: Well, let me talk to you a little later. I don’t want to say a name and not be sure, and so I’ll tell you later what I think it was, but I can’t tell you now on the tape here because I don’t know for sure. This is all—I didn’t talk to him personally, I heard this—

BB: But you hope it’s true, anyway [laughs].

DM: It’s sure a hell of a good story, that’s for sure [laughs]. I did see Cunningham and Dempsey on the House floor and whoever took into them did a real good job.

BB: Do you think there was much of that that went on?

DM: Well, I think that—

BB: Did you suspect any more of it?

DM: Well, yes, I do. There was—I think that the oil companies were pretty generous with some of the folks. I just don’t know all this, all I know is that some of the ladies suddenly had nice coats and so-forth and I just—I can’t say it [inaudible].

BB: Some of the lady legislators?

DM: No, the wives suddenly were springing up with really nice fur coats and nice things that cost some money. And I don’t know that, but when you say that that’s all—

BB: You suspect that it could have happened.

DM: I suspect that there could be something more than that.

BB: Now the petroleum industry also had a hospitality room, I think. Didn’t they have a watering hole?

DM: They could have. I was never there. I don’t know what the score was. Actually, I was raised in the oil business, but I never felt that they had much influence. The ones that had the influence were the Anaconda Copper Mining Company and the Montana Power Company, and that was that coalition and it was a very powerful coalition.

BB: Were there legislators that you suspected might have been important insiders? You mentioned the two guys from Butte but they don’t sound like important or influential legislators. But I think the Anaconda Company would have probably tried to work with some of the more important legislators if they could.

DM: I’m sure that they could, but that was a different situation. I have a lot of respect for a lot of the legislators that I think that the company was working with. That was a difference in
philosophy. I know men there that had a lot of the same philosophy, but it was a different philosophy.

BB: But I get the honest impression that it wasn’t a one-party thing.

DM: Oh no, it wasn’t there.

BB: There were people in the Democratic Party, probably some important people in the Democratic Party.

DM: Important people in the Democratic Party that had a different philosophy than I did.

BB: Okay, I see.

DM: Cal Robinson, for instance, had a different philosophy than I had, and I respected Cal. It was just, you know, we didn’t see eye to eye as to where we thought the state ought to be going.

BB: Now Cal never served in the legislature. Were there Democrats in the legislature that you felt were close to the Anaconda Company, or were there Republicans in the legislature that you felt were very independent of the Anaconda Company?

DM: It’s difficult to say, because I don’t know. I was in the hospitality room once and I never got into the rooms upstairs, so I never knew what went on there. So I really don’t know, but one of the things that I did notice is that in the Billings delegation there was—I’ve forgotten his name—but there was one man in the Billings delegation that really was all in favor of education, and they had eight representatives at that time, a very strong representation in the House. And there were really sparks between him and the other seven members, largely because he wanted to increase the school foundation funding.

BB: Is his name Schiltz?

DM: No, no. I could dig back—

BB: Jerome Anderson would have been there then.

DM: Now Jerome Anderson was a very strong legislator, a legislator that I respected, but a legislator that had a totally different philosophy than I had. And there were a lot of people like that just as a matter of philosophy, they have a right to their opinion just like I have a right to mine, and so I didn’t agree with them at all. And Jim Felt, most of the time.

BB: Jim Haughey, was he in the House?
DM: Jim Haughey.

BB: He would have been in the house then I think, probably, but he wasn’t the guy? I think he was a representative from Billings at that time.

DM: Right, but all these people just had a different philosophy than I did.

BB: What I’m looking for is this independent Republican from Billings, and it wasn’t Haughey, it wasn’t Jerry Anderson, it wasn’t Jim Felt?

DM: No, it wasn’t Anderson, he was a big and I don’t know—it’s like Homer seems to be like his first name. I don’t remember just the name, but I could dig back in the records and tell you who that was.

BB: Interesting to know from the standpoint of the historical record. Well you mentioned that you—did you ever become personally acquainted with Governor Aronson?

DM: Yes. In the ’57 session of the legislature, George Siderius was my seatmate and he said to me, “Dale, let’s go up and I want to introduce you to Johnny Holmes and I want to introduce you to the Governor.”

BB: Johnny Holmes was the state auditor.

DM: At that time, right. So we went up to Johnny Holmes’s office and Johnny had a file drawer and he brought out a Jack Daniels or something very like it and gave me more alcohol than I really wanted. I don’t drink, you know, it doesn’t do me any good. I like a beer, but as far as the straight stuff, I don’t care for it. But I didn’t want to be—so we visited with Johnny, and I like Johnny a lot. So then we went up to the Governor’s and George Siderius introduced me, and Hugo Aronson said, “Well, I think I know you.” And I said, “Oh?” And he said, “You’re the little boy that put that tire iron in my big tire and it blew out.” And this is the first thing I knew about it. My dad, I knew, had a lot of work for Hugo Aronson, and that’s where my dad got his start was up there in the oil fields.

BB: So Aronson was an oil man, an oil well developer up in the Cut Bank area.

DM: Well, it was Oilmont.

BB: Oilmont. And so that’s where your family’s from?

DM: Well that’s where my dad got his start financially. He made enough money in fixing Hugo Aronson’s tires that he was able to come down to Conrad and establish a service station in the midst of the Depression. And so at any rate, Hugo Aronson had these big tires and he had these
big oil rigs and of course he'd blow out a tire and my dad was the only one that he would trust
to go rebuild the tire. He paid my dad very well for doing that and of course probably helped
him a lot in the oil fields there because a brand new tire would cost a heck of a lot more than
the repair. And evidently what I did when I was, well, I was younger than six. I must have been
three or four or five, somewhere in there, is evidently I carried this tire iron around and I was
just playing and I put it inside the tire and my dad didn't notice and he put it all together and it
went out there and that wasn't the best thing—

BB: Terrible mischief for the tires.

DM: [Laughs]. Yes.

BB: We're getting close to the end of our tape. I want to ask you about two people. I want to
ask you about General LeRoy Anderson, because you would have maybe had some association
with him from Conrad? Any thoughts or observations about him? And then also Attorney
General and later congressman Arnold Olsen.

DM: Well, LeRoy Anderson I didn't have much contact with, but I did have a lot of contact with
Arnold Olsen. Arnold Olsen was in the '57 session. He had run against Hugo Aronson and—

BB: For governor in '56.

DM: For governor, yes, and Governor Aronson beat him.

BB: I was thinking he was still Attorney General when you were a legislator, but I guess that's
not right, is it? Forrest Anderson would have come in in '56?

DM: Yes.

BB: Okay, well you might have some thoughts about him too, but keep talking about Arnold.

DM: Well, at any rate, there was a strong feeling that Arnold Olsen had. And I remember Ernie
Salvas from Butte—

BB: Ernie was who?

DM: Ernie Salvas was the lobbyist for the Mineworkers in Butte. I remember Arnold Olsen, well,
basically what was happening there is that there were bills that were being introduced that
were basically, I thought, were kind of fighting the gubernatorial campaign all over again. I
listened, but I was not much taken with that effort because I didn't think it was going to be
successful and it was not successful. But I remember that Arnold and Ernie Salvas did do some
things there that brought major issues to the—
BB: To the floor of the House in the ’57 session that were echoes, from Arnold Olsen’s point of view, of the ’56 campaign. And did the Democrats have the majority in ’57?

DM: Barely. We had a good majority, and Gene Mahoney was Speaker of the House.

BB: In ’57.

DM: What happened, in the early days of ’57, is that we had such a small majority that our men would split and the Republicans were running the House. George Siderius and I went to Gene and said, “We’ve got to have caucuses here. We can’t have this. We’re going to be responsible when we go back to the people and we just can’t have this situation where the Republicans are on major controversial—are winning the day.” So Gene, who’s kind of laid back, he wasn’t as strong as some of the others, but once we kind of put a bee in his bonnet, we did have caucuses and that never happened again. We did what we wanted to do in the ’57 session and when we came back from the ’57 session we were really well liked all over the county. We’d done what we said we’d do. We didn’t get silicosis through, but we sure tried, and we sure did a lot about education and the people liked that.

BB: We’re getting close to the end of the tape. Forrest Anderson, are there any thoughts or impressions about him or any other legislator or any other lobbyist or anything you’d like to say in conclusion?

DM: Well, Forrest Anderson, I want to tell you a story about the Soldier’s Home in Columbia Falls. What happened is it was Babcock and his administration had decided that this Soldier’s Home had outlived its usefulness, basically, and that what they were going to do is transfer the—I think what they wanted to do is to transfer the men from the Soldiers’ Home to another institution, and I forgot what it was, but I think it had to do with silicosis. But it certainly didn’t have to do with the soldiers. And so there was that effort on. I was asked to bring an injunction and Charlie Hash and I brought the injunction against the closure of the Soldier’s Home.

BB: This would have been in the sixties?

DM: It was close to when Kennedy was assassinated.

BB: Sixty-three or ’64?

DM: Somewhere in there maybe; ’62, ’63, somewhere in there. At any rate, the upshot of it was that we then went before Judge [Frank] Haswell, got the temporary restraining order, and we restrained everybody, including the driver. They were not to move. And the idea was to move the women out and of course once that was done, why, the men wouldn’t dress up and things would go to hell in a handcart. The way it was, with women there, they would come down and everything was pretty nice. At any rate, we stopped the whole thing cold and then we had a hearing before Judge Haswell on whether or not the final injunction should be granted. So the
state then came over and offered us everything that we wanted behind the scenes, and Forrest Anderson came over.

BB: He was then Attorney General?

DM: He was Attorney General. He said, “Dale, now you do what you want to do, but if you make peace here behind the scenes there’s going to be a release but nobody will really know or believe what happened, so I’m saying to you you’ve got a good case, go out there and put it into evidence before the court.” So that’s exactly what we did, at Forrest’s advice, and Judge Haswell then granted the permanent injunction. The veterans all saw the evidence, they saw the whole thing, and even though the state was willing to throw in the sponge totally, Forrest was entirely right. That was the thing to do. And then we had an injunction. We won the day, and the Soldiers’ Home is still there. And so I don’t know whether Forrest thought that if we make peace, the next time around things may not break quite as well for the soldiers and the veterans and so forth. The whole state was stirred up over this. Had a lot of the legislators that I served with there at the hearing. They came from eastern Montana, a whole raft of them. So that was my about the first and only contact with Forrest Anderson. But I certainly—he was a little general and politically he knew the thing to do and we did it and it worked.

BB: Anything you want to say in conclusion?

DEM: Well, the only thing that I would say is that if you’re a younger lawyer like I was, that you ought to run for the legislature at least twice because you’re going to learn—whether you run as a Democrat or a Republican—you’re going to learn a lot about this state, you’re going to make tremendous friends that are going to last you a lifetime in every county in this state, and you just should do it.

You should do it when you’re starting out, before you get tied up in the major cases and then you can’t really take off a couple of months. But I certainly would recommend that to any young lawyer coming up, that they should do that because it’s something that they’ll remember all their lives and you can make a difference. Not only then, but you’re going to be able to know the movers and the shakers throughout the state and so when later issues come up, like they have in asbestos or the Montana Power case that we have, or any of those major issues, you kind of know a lot that you can only learn if you go the legislature.

BB: That’s right, yes, I believe that to be true too. Well I sure appreciate the interview very much, Dale. Thank you.

DM: Yes, yes.

[End of Interview]